

रजिस्टर्ड नं ० पी०/एम० एम० १४.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, 25 जुलाई, 1980/३ श्रावण, 1902

हिमाचल प्रदेश सरकार

FOOD AND SUPPLIES DEPARTMENT

NOTIFICATION

Simla, the 13th June, 1980

No. FDS-H(F)-9/77.—In exercise of the powers conferred upon him under clauses 3, 8 and 9 of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977, the Director, Food and Supplies, Himachal Pradesh hereby prohibits the sale of diesel except on the production of distribution card or permit issued by the competent authority in the manner specified hereunder and further also fix as the maximum quantity of diesel which may be issued on the distribution card or permits:—

1. TRUCKS:

| | |
|---|---|
| (a) (i) Public Carrier | 100 litres at a time subject to 300 litres a Fortnight. |
| (ii) Public Carrier (Gattu) | 50 litres at a time subject to 150 litres a Fortnight. |
| (iii) Private Carriers | 100 litres at a time subject to 300 litres a Fortnight. |
| (iv) Private Metadors/jeeps and other vehicles. | 40 litres a week. |

(b) DIESEL RUN ENGINES

100 litres a month.

For such working season as may be determined by the Deputy Commissioner of the District.

(c) TRACTORS

50 litres a Fortnight.

(During the Agriculture Season of the area, to be determined by the Deputy Commissioner of the District only).

(d) Other diesel run machines not covered in sub-clauses (a) to (c).

To be fixed by the competent authority after verification by himself or through any other official. The quota will be periodical as determined by the Deputy Commissioner of the District.

2. The weekly quota of diesel to the private buses may be fixed by the competent authority on the recommendations of the Regional Transport Authority.

3. The competent authority, on an application, may issue diesel to tourists vehicles engaged in inter-State movement of goods, and vehicles of Government Departments/autonomous bodies, on permits after assessment of their demand.

4. Competent authority shall issue diesel on permits to the vehicles carrying foodgrains or engaged in the movement of foodgrains of the Food Corporation of India from outside to this Pradesh or within the Pradesh.

Explanation.—The requirement of diesel for these vehicles shall be determined at a rate of 3 km. per litre for a round trip and quantity equal to the requirement minus 100 litres be issued to them.

5. The competent authority may issue diesel upto 50 litres for return journey to the vehicles which brought the essential commodities from other States to this State.

6. *Issue of distribution cards to Private Buses/Trucks/Tractors and other Diesel operated vehicles registered in Himachal Pradesh.*—An application for distribution card may be made to the competent authority,—

- (i) by the owner or his agent of a Tractor/Private Jeep/ Metador in prescribed Form "A" appended to this notification;
- (ii) by the owner or his agent of a Private/Public Carrier (truck) in prescribed application Form "B" appended to this notification;
- (iii) by the owner or his agent of a Private Bus in prescribed application Form "C" appended to this notification;
- (iv) by the owner or his agent of other diesel operated engines/machines/thrashers/ band saws in simple application forms giving the particulars of the machinery and location thereof.

7. (1) On satisfaction of the information given in the application or on any further inquiry as he may deem necessary in this behalf, the competent authority may issue a distribution card or permit, as the case may be, in favour of the applicant in the prescribed Form "D" appended to this notification or refuse to issue the distribution card after recording the reasons thereof.

(2) The competent authority shall issue the distribution card for the vehicles registered in the concerned district with the Vehicles Registering Authority:

Provided that any person intending to obtain a distribution card for his vehicle, not registered in the concerned district, shall have to produce:—

- (a) a certificate from the competent authority of the concerned district where the vehicle is registered that no distribution card has been issued for that vehicle in that district or if issued that has been cancelled;
- (b) a no objection certificate for issuing the distribution card in other district.

(3) The competent authority shall make entry in the Registration Certificate of the vehicle about the issue and number of the distribution card.

(4) The competent authority shall suffix the same alphabetical letter on the distribution card as is used in the registration of vehicle followed by serial number of the distribution card.

Explanation.—Vehicle bearing number HPK (K indicates Kangra) will be given the distribution card number starting from K and similarly the HPM (indicates Mandi district) will be given the distribution card number starting from M and so on.

(5) The competent authority issuing the distribution card or permit shall have to maintain proper record of the issue of these documents which shall be open to inspection to the authorities superior to him.

(6) The application required to be made under clause 6 (iv) should bear the verification report from the Agriculture Inspector or Block Development Officer to the effect that the engine/machinery in question is actually in working order and the horse power rating is correct.

(7) The distribution cards to be issued to them shall bear the engine number along with exact location of its installation.

(8) The distribution cards issued to the vehicle specified in clause 6 (i) to (iii) shall be valid for 6 months in the first instance unless suspended or cancelled earlier. It may be renewed as may be considered necessary by the competent authority subject to overall control and directions of the Director, Food and Supplies, Himachal Pradesh, Simla.

(9) The maximum periodical quantum of diesel stipulated above against the issue of distribution cards can be reduced or enhanced by the competent authority at any time subject to the directions of the Director, Food and Supplies, Himachal Pradesh.

8. (i) Every dealer (retail outlet holder) in diesel shall issue diesel to the distribution card holder according to the quantity shown in such distribution card or permit.

(ii) The dealer (retail outlet holder) shall maintain a register showing,—

- (a) Opening balance on each day.
- (b) Quantity received during the day.
- (c) Quantity sold during the day.
- (d) Closing balance.

(iii) The dealer shall issue cash memo to every customer which should be serially numbered and containing the following information:—

- (a) Vehicle number.

- (b) Distribution Card No./Permit No.
- (c) Quantity sold and its value.
- (d) Full signatures of the customer.
- (e) Signature of the person conducting sale at retail outlet.

(iv) The dealer (retail outlet holder) shall make entry of the diesel supplied on distribution card of the vehicle along with date of supply.

9. The District Food and Supplies Controllers of the District concerned or any other person authorized by him or by the Director, Food and Supplies, Himachal Pradesh shall be the competent authority for the preparation or issue/suspension/cancellation/renewal of the distribution card or permit in this behalf.

Provided distribution card for Public Carrier, Private Carrier and other motor vehicles should be issued by the District Food and Supplies Controller of the District only.

10. No holder of distribution card or permit issued under this notification shall contravene any of the conditions subject to which it has been issued and of this order and if any of the conditions or provisions of this notification are contravened then without prejudice to any other action that may be taken under the Essential Commodities Act, 1955, his distribution card or permit may be cancelled by the competent authority.

11. (1) Any person aggrieved by any order of the competent authority refusing to grant or renew a distribution card/permit may appeal to the authorities specified below:—

- (a) The appeal shall be made to the Sub-Divisional Officer (Civil) of the area concerned if the order has been made by the authority subordinate to the District Food and Supplies Controller.
- (b) The appeal shall be made to the Deputy Commissioner if the order has been made by the District Food and Supplies Controller.
- (c) The appeal shall have to be made within 30 days from the date of the receipt of such order by the person aggrieved.
- (2) No order on such appeal shall be made unless the aggrieved person had been given a reasonable opportunity of being heard.
- (3) Pending disposal of the appeal the appellate authority may pass any order which he may deem fit.
- (4) Revision shall be to the Director, Food and Supplies, Himachal Pradesh, Simla.

FORM 'A'

To

The District Food and Supplies Controller,

Sir,
Subject.—Issue of Distribution Card or Permit.

I own Tractor/Private Jeep/Metador running on diesel. I may please be issued a distribution card. The particulars are as follows:—

1. Name of owner with full address.
2. Telephone Number.
3. Registration Number.
4. Capacity of the full truck.
5. Weekly requirement of diesel.

Certified that above vehicle is not a Public Carrier.

Signature of Owner,

FORM 'B'

To

The District Food and Supplies Controller,
.....

Subject:—Issue of Distribution Card or Permit.

Sir,

I own truck which is registered as Private/Public Carrier for which a diesel distribution card may please be issued. The particulars are given below:—

| | | |
|--|--------|------------|
| 1. Name of owner & full permanent address | Office | Residence. |
| 2. Telephone Number | | |
| 3. Name, telephone number of the union with which attached. | | |
| 4. Registration Number | | |
| 5. Load carrying capacity | | |
| 6. Normal area of operation | | |
| 7. Whether endorsed for other stations, if so, the name of station for which endorsed. | | |
| 8. Weekly quota of diesel required | | |

I undertake to comply with all the directions issued by the Department of Food and Supplies, Himachal Pradesh. Further, I undertake to carry goods on demand irrespective of distance within the State of Himachal Pradesh.

Yours faithfully,

FORM 'C'

To

The District Food and Supplies Controller,
.....

Subject:—Issue of Distribution Card or Permit.

Sir,

I own private Bus running on diesel. I may please be issued a distribution card. The particulars are as follows:—

- (i) Name and address of owner.
- (ii) Telephone Number.
- (iii) Registration No.
- (iv) Authorized route and distance covered in each round trip.
- (v) Daily requirement of diesel.

Owner.....

Certified that above particulars are true and Distribution Card may please be issued to
Shri..... for Vehicle

R.T.A.

FORM 'D'

DISTRIBUTION CARD

Stamp of issuing authority .

Public Carrier/Private Carrier/Crusher/Saw Mill/Govt. Vehicle

Truck No.....

Name of the owner with address.

Period of validity

.....

| | 1st Week | | 2nd Week | |
|-----------|-------------|---------------------------|-------------|---------------------------|
| | Qty. issued | Name and Stamp of pump | Qty. issued | Name and Stamp of pump |
| January | | | | |
| July | | | | |
| February | | | | |
| August | | | | |
| March | | | | |
| September | | | | |
| April | | | | |
| October | | | | |
| May | | | | |
| November | | | | |
| June | | | | |
| December | | | | |

| | 3rd Week | 4th Week | | |
|-----------|-------------|---------------------------|-------------|---------------------------|
| | Qty. issued | Name and Stamp of pump | Qty. issued | Name and Stamp of pump |
| January | | | | |
| July | | | | |
| February | | | | |
| August | | | | |
| March | | | | |
| September | | | | |
| April | | | | |
| October | | | | |
| May | | | | |
| November | | | | |
| June | | | | |
| December | | | | |

TERMS AND CONDITIONS

1. Diesel procured on this card shall not be resold or misused.
2. Diesel will be drawn subject to the availability of stocks with the dealers and no backlog shall be allowed.
3. Holders of this card shall not refuse to issue (truck vehicle) on demand for carriage of goods and shall not demand extra diesel for carriage.
4. Truck operators will draw the diesel from the pumps subject to the daily and weekly quantity fixed by the Food and Supplies Department from time to time. Lapsed entitlements shall not be carried forward.
5. The card shall be produced for inspection on demand by any member, of the Inspector, District Food and Supplies Controller's staff or Officer of the Food and Supplies Department or any other competent authority. Any contravention of the above terms and conditions shall render the card holder to forfeiture/cancel his distribution card.
6. This Distribution Card shall not be transferable.

S. K. SOOD,
Director.

नियन्त्रक, मुद्रण तथा लेखन सामग्री, हिमाचल प्रदेश, शिमला-3 द्वारा मुद्रित तथा प्रकाशित।